



Denying Requests and Applications: Do We Always Need a Motion?

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The concern we are addressing here was expressed by a recent workshop participant who raised and – at the same time resolved – a concern. Here is a paraphrased summary of her remarks: “My board wrestles with making affirmative motions on requests they want denied. It’s counterintuitive to someone who does not want to grant a request to move to approve and then vote no. On the other hand, phrasing motions in the negative can create confusion – if the negatively phrased motion fails, does that mean we approve it? Do we need a motion at all? Can’t the chair just put the matter of approving a request to the body without a formal motion? S/he could say something like, “The question is to approve the application or not. Vote yes to approve and no to deny.” Would that be acceptable?

If the body is following Robert’s, that approach is indeed acceptable, especially in small boards and committees. Robert’s Rules of Order, Newly Revised directly supports such a practice. Pages 487–488 of the 11th edition discuss procedures in small boards and one of those procedures is, “When a proposal is perfectly clear to all present, a vote can be taken without a motions having been introduced.” In discussing committee procedures on page 500, Robert’s provides that “the informalities and modification of the regular rules listed on pages 487–488 ... are applicable during the meetings of all standing and special committees.” So it appears that small boards and subunits of local governments don’t have to propose formal motions in making such decisions as whether to approve or deny applications or requests – provided, of course, that what is being decided is clear to all.

Since Robert’s defines small boards as consisting of “not more than about a dozen members,” would such an approach be appropriate in larger bodies? The opinion here is that it would be, based on what appear to be comparable situations in which a chair can assume a motion. The discussion of the germaneness of amendments on pages 137 and 138 suggests that if the chair is uncertain of whether the amendment is germane, s/he could put the question directly to the body without a formal motion. In an earlier article that discussed the so-called “friendly amendment,” we noted that such suggestions of relatively minor changes in a pending motion may be approved by the body through unanimous consent – a procedure in which the chair simply asks the body if there is any objection to making the suggested change. Only if there is an objection is a motion necessary. Further, page 507 contains a discussion of procedures that may be followed if the maker of a committee report that contains a recommendation for the parent body to consider does not, for some reason, make the motion to adopt the resolution. The options available in such a case include “the chair may sometimes expedite matters by assuming the motion – that is, stating the question on it without waiting for it to be made – *provided that the assembly is accustomed to this method.*” (Emphasis in original)

If the body is not accustomed to this method or is unclear as to the propriety of assuming motions when deciding on requests and applications, it could include in its own rules of procedure that such an approach is permissible.